



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Hg

In re application of:

Roman S. Ferber et al.

Group Art Unit: 3764 Hg

Serial No.: 09/833,401

Examiner: B. Koo

Filed: April 11, 2001

For: AIR BUBBLE MASSAGE BATH MAT SYSTEM

Attorney Docket No.: HOME 0459 PUS

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REPLY UNDER 37 C.F.R. § 1.111

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

In response to the Office Action mailed May 7, 2002, Applicants hereby request reconsideration, in view of the following remarks:

Remarks

The Examiner rejected claims 1-7, 10, and 11 under 35 U.S.C. § 103(a) as being unpatentable over Stern et al. (U.S. Patent No. 4,962,759) in view of Leung (U.S. Patent No. D447,243). Leung was filed on August 25, 2000 and issued on August 28, 2001. Applicants have submitted herewith a declaration and exhibit under 35 U.S.C. § 1.131 signed by the applicants/inventors Roman S. Ferber, and Stephen Chung to antedate Leung et al. (Tab A.) In the declaration, Messrs. Ferber and Chung state that the invention was reduced to practice prior to August 25, 2000. Exhibit A of the declaration supports Messrs. Ferber and Chung's declaration. In particular, Exhibit A shows that the invention was reduced to practice prior to the critical date.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Box, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

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